

*United States District Court*

DISTRICT OF DELAWARE

ROCHESTER DRUG CO-OPERATIVE, INC.,  
on behalf of itself and all others similarly  
situated,

**SUMMONS IN A CIVIL CASE**

V.

CASE NUMBER: 05-351

ABBOTT LABORATORIES;  
FOURNIER INDUSTRIE ET SANTE; and  
LABORATORIES FOURNIER S.A.

TO: (Name and address of defendant)

Abbott Laboratories  
100 Abbott Park Road  
Abbott Park, IL 60064,  
by serving the Delaware Secretary  
of State as statutory agent under  
10 Del.C. §3104

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Jeffrey S. Goddess, Esquire  
Rosenthal, Monhait, Gross &  
Goddess, P.A.  
P. O. Box 1070  
Wilmington, DE 19899-1070

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**PETER T. DALLEO**

CLERK

June 3, 2005

DATE

Beth Lujan  
(BY) DEPUTY CLERK

• AO 440 (Rev. 8/01) Summons in a Civil Action

**RETURN OF SERVICE**

|  |                                 |
|--|---------------------------------|
| Service of the Summons and complaint was made by me(l) | DATE<br>6/3/05                  |
| NAME OF SERVER (PJNT)<br>GRANVILLE MORRIS              | TITLE<br>SPECIAL PROCESS SERVER |

*Check one box below to indicate appropriate method of service*

☐ Served personally upon the defendant. Place where served: \_\_\_\_\_

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

☐ Name of person with whom the summons and complaint were left: \_\_\_\_\_

☐ Returned unexecuted: \_\_\_\_\_

☒ Other (specify): SERVED: ABBOTT LABORATORIES C/O DELAWARE SECRETARY OF STATE TOWNSEND BLDG. DOVER DE COPIES THEREOF WERE ACCEPTED BY MARTINA MARTIN (PROCESS AGENT)

**STATEMENT OF SERVICE FEES**

|        |          |       |
|--------|----------|-------|
| TRAVEL | SERVICES | TOTAL |
|--------|----------|-------|

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 6/3/05

Date

Signature of Server

BRANDYWINE PROCESS SERVERS, LTD.

P.O. BOX 1360

WILMINGTON, DE 19899-1360

302- 475-2600

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.